



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,851	09/10/2003	Eric Owahdi	B-3861DIV 621075-0	5528

7590 04/27/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

PUENTE, EMERSON C

ART UNIT	PAPER NUMBER
----------	--------------

2113

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/659,851	Applicant(s) OWHADI, ERIC	
	Examiner Emerson C. Puente	Art Unit 2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 and 16-22 is/are allowed.
- 6) ☒ Claim(s) 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2113

DETAILED ACTION

This action is made Non-Final. This action is in response to Preliminary Amendment filed on September 10, 2003.

Claims 1-11, 13, and 16-22 have been examined.

Claim Objections

Claim 13 is objected to because of the following informalities:

In regards to claim 13, please change the limitation "the parameter" to "a parameter". The limitation lacks antecedent basis

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,854,828 of Kocis et al. referred hereinafter "Kocis" in further view of US Patent No. 6,269,364 of Kennedy et al referred hereinafter "Kennedy".

In regards to claim 13, Kocis discloses

An arrangement for providing remote support services to a user, the arrangement comprising:

Art Unit: 2113

a telephone call handling system that provides at least one telephone number that the user can call to get advice from a human support agent;

a decoder within the call handling system for decoding sounds generated by an apparatus and transmitted within a telephone call made by the user so as to enable the apparatus to transmit the parameter to the call handling system for processing without requiring the user or any support agent to directly understand the parameter from the transmission.

However, Kocis fails to disclose wherein the call handling system is arranged to generate a database query from the parameter for retrieving for presentation to a support agent diagnostic data for the apparatus.

Kennedy discloses wherein a customer service support may use customer information to query the database for solutions or index to solutions, indicating a database query from the parameter for retrieving for presentation to a support agent diagnostic data for the apparatus (see column 1 lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a database for solutions or index to solutions, wherein a customer service support may use customer information to query the database for solutions or index to solutions, thus indicating a database query from the parameter for retrieving for presentation to a support agent diagnostic data for the apparatus. A person of ordinary skill in the art at the time of the invention would have been motivated because Kocis discloses a customer support technician diagnosing problems and instructing the customer as to a proper remedy (see column 5 lines 30-35), and a database for solutions or index to solutions, wherein a customer service support may use customer information to query the database for index to solutions or solutions, as per

teaching of Kennedy, is a known and used means for enabling customer support technician to instruct the customer as to a proper remedy.

Examiner's Statement of Reason for Allowance

Claims 1-11 and 16-22 are allowable over the prior art of records.

The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claims 1 and 16 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts.

The reason for allowance for claim 1 is the inclusion of the apparatus further comprising a self contained subsystem operable independently of the main operative functionality including a memory for storing at least one parameter reflecting an internal state of the main operative functionality, said self contained subsystem being powered by said standby power source in conjunction with the rest of the limitation set forth in the claim.

The reason for allowance for claim 16 is the inclusion of the apparatus further comprising a self contained subsystem operable independently of at least the processor and including a memory for storing at least one parameter reflecting an internal state of the main operative functionality, said self contained subsystem being powered by said standby power source in conjunction with the rest of the limitation set forth in the claim.

The remaining claims, not specifically mentioned, are allowed because they are dependent upon one of the claim mentioned above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Art Unit: 2113

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emerson C. Puente whose telephone number is (571) 272-3652. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ecp
4/22/05


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100